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49358	7590	01/24/2006	EXAMINER

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ART UNIT	PAPER NUMBER
3714	

DATE MAILED: 01/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	**Applicant(s)**
Office Action Summary	10/670,555	ROBB, ARTHUR S.
	Examiner	**Art Unit**	
	Sunit Pandya	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Information Disclosure Statement

1.   The Examiner has considered the Information Disclosure Statement (IDS)

submitted on March 8, 2004.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3.   Claims 1-8 and 10-12 are rejected under 35 U.S.C. 102(e) as being anticipated

by Caro et al. (U.S. Patent Application Publication 2003/0050109).

Caro et al. disclose a method of conducting an instant win game in combination

with a base wagering game (Figure 1 along with the related description thereof). The

disclosed method comprises:

receiving a base wagering game entry and a base wagering game wager from a

player (paragraphs [0042], [0043]);

receiving an instant win game wager from the player (paragraphs [0041], [0042]

and [0045]);

storing a game theme indicator (paragraphs [0041], [0045], [0046] and [0056]

wherein memory 22 stores a theme indicator in the form of the type or name of the

instant win game selected by the player);

storing a plurality of instant win game outcome display themes (paragraphs

[0041], [0045] and [0046] wherein memory 22 stores a plurality of instant win game

outcome display themes, e.g., Pick 3 and Pick 4, detailed in Figures 3A and 3B along

with the related description thereof);

determining an outcome of the instant win game for the player, independent of

the base wagering game (paragraph [0049]);

displaying the outcome of the instant win game to the player, the outcome being

displayed with one of the plurality of instant win game outcome display themes wherein

the one of the plurality of instant win game outcome display themes corresponds to the

stored game theme indicator and the base wagering game (paragraph [0049] and

Figures 3A and 3B along with the related description thereof); and

awarding the player an instant win game prize corresponding to the outcome of

the instant win game (paragraph [0049] and Figures 3A and 3B along with the related

description thereof).

Regarding claim 2, Caro et al. disclose that the instant win game and base

wagering game are implemented in a gaming system having a host computer (computer

20) communicatively linked to a plurality of terminal units (terminals 16) and that the

method further comprises receiving the base wagering game entry, the base wagering

game wager and the instant win game wager at one of the terminal units (terminals 16).

See Figure 1 along with the related description thereof and paragraph [0040].

Regarding claim 3, Caro et al. disclose determining the outcome of the instant

win game for the player at one of the host computer (computer 20) and terminal units

(terminals 16) receiving the base wagering game entry, the base wagering game wager

and the instant win game wager (paragraph [0049] wherein the computer 20 calculates

matches and records results and prizes associated with each ticket 12).

Regarding claim 4, Caro et al. disclose displaying the outcome of the instant win

game to the player at one of the terminal units (terminals 16) receiving the base

wagering game entry, the base wagering game wager and the instant win game wager

(paragraphs [0040] and [0074] wherein each terminal 16 includes a video display to

display game tickets and outcomes).

Regarding claim 5, Caro et al. disclose that each terminal unit (terminal 16)

includes a ticket printer (paragraph [0040], wherein the terminal 16 print tickets 12) and

that the method further comprises printing a ticket (ticket 12) at the printer of one of the

terminal units (terminals 16), wherein the ticket includes first indicia corresponding to

the base wagering game entry and base wagering game wager (indicia 26-3A and

Figures 3A and 3B along with the related description thereof) and second indicia

corresponding to the outcome of the instant win game with one of the instant win game

outcome display themes corresponding to the stored game theme indicator (Figures 3A

and 3B along with the related description thereof).

Regarding claim 6, Caro et al. disclose that each terminal unit (terminal 16) includes a video display device (paragraphs [0040] and [0074] wherein each terminal 16 includes a video display to display game tickets and outcomes) and that the method further comprises displaying the outcome of the instant win game at the video display device of one of the terminal units (terminals 16), the outcome of the instant win game being displayed with one of the instant win game outcome display themes corresponding to the stored game theme indicator (Figures 3A, 3B along with the related description thereof).

Regarding claim 7, Caro et al. disclose that the instant win game and base wagering game are implemented in a gaming system having a host computer (computer 20) communicatively linked to a plurality of terminal units (terminals 16) and that the method further comprises storing the game theme indicator at one of the host computer (computer 20) and the terminal units (terminals 16). See paragraphs [0041], [0045] and [0046] and Figure 1 along with the related description thereof, wherein computer 20 includes memory 22 which stores a theme indicator in the form of the type or name of the instant win game selected by the player and stores a plurality of instant win game outcome display themes, e.g., Pick 3 and Pick 4, detailed in Figures 3A and 3B along with the related description thereof.

Regarding claim 8, Caro et al. disclose that the instant win game and base wagering game are implemented in a gaming system having a host computer (computer 20) communicatively linked to a plurality of terminal units (terminals 16) and that the method further comprises storing the plurality of instant win game outcome display

themes at the terminal units (terminals 16 and paragraph [0041]). See paragraph

[0040] wherein terminal 16 is a point-of-sale terminal or a computer. Computers

inherently include a processor and a data storage device or memory. The instant win

game outcome display themes, e.g., Pick 3 or Pick 4 of Figures 3A and 3B, are

communicated from the computer 20 to the terminal 16 (paragraph [0020]) and at least

temporarily stored in a memory of the terminal 16 and processed by a processor of the

terminal 16 prior to display or printing for the player.

Regarding claim 10, Caro et al. disclose that the instant win game and base

wagering game are implemented in a gaming system having a host computer (computer

20) communicatively linked to a plurality of terminal units (terminals 16) and that the

method further comprises receiving the base wagering game entry, the base wagering

game wager and the instant win game wager at the input device of the terminal

(paragraphs [0020] and [0040] wherein player selections made at the terminal 16 are

transmitted to the computer 20).

Regarding claim 11, Caro et al. disclose that each terminal unit (terminal 16)

includes a ticket printer (paragraph [0040], wherein the terminal 16 print tickets 12) and

that the method further comprises printing a ticket (ticket 12) at the printer of one of the

terminal units (terminals 16), wherein the ticket includes first indicia corresponding to

the base wagering game entry and base wagering game wager (indicia 26-3A and

Figures 3A and 3B along with the related description thereof) and second indicia

corresponding to the outcome of the instant win game with one of the instant win game

outcome display themes corresponding to the stored game theme indicator (Figures 3A

and 3B along with the related description thereof).

Regarding claim 12, Caro et al. disclose that each terminal unit (terminal 16)

includes a video display device (paragraphs [0040] and [0074] wherein each terminal 16

includes a video display to display game tickets and outcomes) and that the method

further comprises displaying the outcome of the instant win game at the video display

device of one of the terminal units (terminals 16), the outcome of the instant win game

being displayed with one of the instant win game outcome display themes

corresponding to the stored game theme indicator (Figures 3A, 3B along with the

related description thereof).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

5.   Claims 9 and 13-20 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Penrice (U.S. Patent Application Publication 2004/0266514) in view of Caro et al.

Penrice teaches a gaming system having a plurality of terminal units (gaming

units 20) and a host computer (network computer 22, 32) operatively coupled to the

terminal units (Figure 1 along with the related description thereof) over a network 40 to

effect play of a lottery game. Penrice teaches that different lottery games can be

provided by the gaming system (paragraphs [0058]), which could include those of

different themes. However, Penrice does not explicitly teach providing a lottery game

that includes a base game and an instant win game. In a related gaming system, Caro

et al. teach a lottery game employed over a network for effecting play of a lottery game

having a base game and an instant win game. Caro et al. teaches a lottery game

having a base game and an instant win game increases player interest in the game by

allowing players to select numbers as in a draw lottery while also receiving immediate

results as in an instant win game (paragraphs [0009], [0010] and [0011]). It would have

been obvious to incorporate the lottery game as taught by Caro et al. into the gaming

system as taught by Penrice in order to increase player interest in the game of Penrice

by providing a lottery game having a base game and an instant win game as desirably

taught by Caro et al. in paragraphs [0009], [0010] and [0011]). Thus, the combination of

Penrice and Caro et al. teach a game system for conducting an instant win game in

combination with a base wagering game over a network, wherein the computer 22, 32

of Penrice would be programmed to perform the functions of host computer 20 of Caro

et al. and wherein the gaming units 20 of Penrice would be programmed to perform the

functions of the terminal units 16 of Caro et al.

Regarding claim 14, the combination of Penrice and Caro et al. teach a game

system for conducting an instant win game in combination with a base wagering game

(Figure 1 along with the related description thereof in Penrice). The disclosed game

system comprises:

a plurality of terminal units (gaming units 20) and a host computer (computer 22, 32), including a memory (memory 22d) and a controller (MP 22c), operatively coupled to the terminal units (gaming units 20). Each terminal unit (gaming unit 20) comprises:

an input device that allows a player to make a plurality of input selections (control panel 66 of Figure 3 along with the related description thereof);

a terminal unit memory device (memory 106 of Figure 3 along with the related description thereof;

a currency accepting mechanism that is capable of allowing the player to deposit a medium of currency (coin acceptor 52 and bill acceptor 54 of Figure 3 along with the related description thereof);

a value-dispensing mechanism that is capable of dispensing value to the player (step 262 of Figure 4 and step 318 of Figure 5 along with the related descriptions thereof wherein controller 100 in gaming unit 20 dispenses value to the player based on the game outcome);

an output device (ticket printer 56, display 70 and speaker 62 of Figure 3 along with the related description thereof); and

a terminal controller (MP 104 of Figure 3 along with the related description thereof) operatively coupled to the display unit, the input device, the terminal unit memory device, the currency accepting mechanism, the value-dispensing mechanism, and the output device,

wherein the terminal unit controller (MP 104) is programmed to allow a player to enter a base wagering game entry at the input device (step 554 of Figure 9 along with

the related description thereof) and to allow a player to make a base wagering game

wager and an instant win game wager at the currency accepting mechanism

(paragraphs [0042] and [0045] of Caro et al. wherein a player can place separate

wagers for the base game and the instant win game),

wherein the terminal unit controller (MP 104) is programmed to store a game

theme indicator at a corresponding terminal unit (gaming unit 20 and also see Caro

paragraph [0041]),

wherein the terminal unit controller (MP 104) is programmed to store a plurality of

instant win game outcome display themes at the terminal unit memory device (memory

106 and also see Caro paragraph [0041]),

wherein the terminal unit controller (MP 104) is programmed to determine the

outcome of the instant win game, which is independent from the base game (also see

Caro paragraph [0049]),

wherein the terminal unit controller (MP 104) is programmed to display the

outcome of the instant win game at the output device (display 70) with the outcome

being displayed with one of the plurality of instant win game outcome display themes

corresponding to the game theme indicator and the base game, and

wherein the terminal unit controller (MP 104) is programmed to cause the value-

dispensing mechanism to dispense an instant win game prize corresponding to the

outcome of the instant win game.

Regarding claim 15, the combination of Penrice and Caro et al. teach that each

terminal unit (gaming unit 20) includes a ticket printer (printer 56) and that the method

further comprises printing a ticket (ticket 12 of Caro as shown in Figures 3A and 3B

along with the related description thereof) at the printer (printer 56) of one of the

terminal units (gaming units 20), wherein the ticket includes first indicia corresponding to

the base wagering game entry and base wagering game wager (indicia 26-3A and

Figures 3A and 3B along with the related description thereof in Caro et al.) and second

indicia corresponding to the outcome of the instant win game with one of the instant win

game outcome display themes corresponding to the stored game theme indicator

(Figures 3A and 3B along with the related description thereof in Caro et al.).

Regarding claim 16, the combination of Penrice and Caro et al. teach that each

terminal unit (gaming unit 20) includes a video display device (display 70) and that the

method further comprises displaying the outcome of the instant win game at the video

display device of one of the terminal units (gaming units 20), the outcome of the instant

win game being displayed with one of the instant win game outcome display themes

corresponding to the stored game theme indicator (Figures 3A, 3B along with the

related description thereof describe tickets 12 in Caro et al. that would be displayed on

display 70 in the gaming system taught by Penrice).

Regarding claim 17, the combination of Penrice and Caro et al. teach that the

host computer controller (MP 22c) determines the outcome of the instant win game and

stores the game theme indicator at the memory (memory 22d) and wherein the terminal

controller (MP 104) stores a plurality of instant win game outcome themes at the

terminal memory (memory 106) and transmits the outcome of the instant win game and

the game theme indicator to the terminal unit (gaming unit 20).

Regarding claims 9 and 13, the combination of Penrice and Caro et al. teach a game system including dispensing the instant win game prize to the player via a value dispensing unit (step 262 of Figure 4 and step 318 of Figure 5 along with the related descriptions thereof wherein controller 100 in gaming unit 20 dispenses value to the player based on the game outcome) at the terminal (gaming unit 20). Penrice in combination with Caro et al. teaches dispensing value to the player, as taught by Penrice, based on the instant win game outcome taught by Caro et al.

Regarding claim 18, the combination of Penrice and Caro et al. teach a terminal unit (gaming unit 20) for conducting an instant win game in combination with a base wagering game (Figure 1 along with the related description thereof in Penrice). The disclosed terminal unit (gaming unit 20) comprises:

an input device that allows a player to make a plurality of input selections (control panel 66 of Figure 3 along with the related description thereof);

a terminal unit memory device (memory 106 of Figure 3 along with the related description thereof;

a currency accepting mechanism that is capable of allowing the player to deposit a medium of currency (coin acceptor 52 and bill acceptor 54 of Figure 3 along with the related description thereof);

a value-dispensing mechanism that is capable of dispensing value to the player (step 262 of Figure 4 and step 318 of Figure 5 along with the related descriptions thereof wherein controller 100 in gaming unit 20 dispenses value to the player based on the game outcome);

an output device (ticket printer 56, display 70 and speaker 62 of Figure 3 along

with the related description thereof); and

a controller (MP 104 of Figure 3 along with the related description thereof)

operatively coupled to an output unit, the input device, the terminal unit memory device,

the currency accepting mechanism, the value-dispensing mechanism, and the output

device,

wherein the controller (MP 104) is programmed to allow a player to enter a base

wagering game entry at the input device (step 554 of Figure 9 along with the related

description thereof) and to allow a player to make a base wagering game wager and an

instant win game wager at the currency accepting mechanism (paragraphs [0042] and

[0045] of Caro et al. wherein a player can place separate wagers for the base game and

the instant win game),

wherein the controller (MP 104) is programmed to store a game theme indicator

at a corresponding terminal unit (gaming unit 20 and also see Caro paragraph [0041]),

wherein the controller (MP 104) is programmed to store a plurality of instant win

game outcome display themes at the terminal unit memory device (memory 106 also

see Caro paragraph [0041]),

wherein the controller (MP 104) is programmed to determine the outcome of the

instant win game, which is independent from the base game (also see Caro paragraph

[0049]),

wherein the controller (MP 104) is programmed to display the outcome of the

instant win game at the output device (display 70) with the outcome being displayed

with one of the plurality of instant win game outcome display themes corresponding to

the game theme indicator and the base game entry, and

wherein the controller (MP 104) is programmed to cause the value-dispensing

mechanism to dispense an instant win game prize corresponding to the outcome of the

instant win game.

Regarding claim 19, the combination of Penrice and Caro et al. teach that each

terminal unit (gaming unit 20) includes a ticket printer (printer 56) and that the method

further comprises printing a ticket (ticket 12 of Caro as shown in Figures 3A and 3B

along with the related description thereof) at the printer (printer 56) of one of the

terminal units (gaming units 20), wherein the ticket includes first indicia corresponding to

the base wagering game entry and base wagering game wager (indicia 26-3A and

Figures 3A and 3B along with the related description thereof in Caro et al.) and second

indicia corresponding to the outcome of the instant win game with one of the instant win

game outcome display themes corresponding to the stored game theme indicator

(Figures 3A and 3B along with the related description thereof in Caro et al.).

Regarding claim 20, the combination of Penrice and Caro et al. teach that each

terminal unit (gaming unit 20) includes a video display device (display 70) and that the

method further comprises displaying the outcome of the instant win game at the video

display device of one of the terminal units (gaming units 20), the outcome of the instant

win game being displayed with one of the instant win game outcome display themes

corresponding to the stored game theme indicator (Figures 3A, 3B along with the

related description thereof describe tickets 12 in Caro et al. that would be displayed on

display 70 in the gaming system taught by Penrice).

Response to Arguments

6.   Applicant's arguments filed 7/27/2005 have been fully considered but they are

not deemed persuasive.

The applicant argues that Caro et al. does not disclose storing a plurality of

instant win game outcome displayer themes. The examiner respectfully disagrees with

the applicant and would like to bring the applicant's attention to paragraph [0041], where

Caro discloses of different themes, such as physically drawing of identical numbered

ball, or a non-draw event such as the occurrence of some public events, such as a

closing stock price on a given day or the score of sports event.

The applicant also argues that Caro does not disclose storing a plurality of

instant win game outcome display themes at the plurality of terminal units. The

examiner respectfully disagrees with the applicant and would like to bring the applicant's

attention to [0041] where both the instant win game and base wagering game are

implemented in a gaming system having a host computer (computer 20)

communicatively linked to a plurality of terminal units (terminal 16 in [0041]) and that the

method further comprises storing the plurality of instant win game outcome display

themes at the terminal units (terminals 16 and paragraph [0041]).

The applicant also argues that Caro does not disclose at least the elements of

the outcome of the instant game being independent from a base game, storing a

plurality of instant win game outcome display themes, and displaying the outcome of the instant win game with a theme. The examiner respectfully disagrees with the applicant and would like to bring the applicant's attention to the controller (Penrice, Micro Processor 104) which is programmed to determine the outcome of the instant win game, which is independent from the base game (also see Caro paragraph [0049]), and also combination of Penrice and Caro discloses a terminal unit controller (Penrice, Micro Processor 104) which is programmed to display the outcome of the instant win game at the output device (Penrice, display 70) with the outcome being displayed with one of the plurality of instant win game outcome display themes corresponding to the game theme indicator and the base game.

The applicant also argues that Caro does not discloses, the outcome of the instant win game being displayed with one of the instant win game outcome display themes corresponding to the store game theme indicator. The examiner respectfully disagrees with the applicant and would like to bring the applicant's attention to the combination of Penrice and Caro et al., which teaches that each terminal unit (gaming unit 20) includes a video display device (display 70) and that the method further comprises displaying the outcome of the instant win game at the video display device of one of the terminal units (gaming units 20). The outcome of the instant win game being displayed with one of the instant win game outcome display themes corresponding to the stored game theme indicator (Figures 3A, 3B along with the related description thereof describe tickets 12 in Caro et al. that would be displayed on display 70 in the gaming system taught by Penrice).

The applicant also argues that combination of Penrice and Caro does not disclose a terminal unit controller programmed to store a plurality of instant win game outcome themes at the terminal unit memory device. The examiner respectfully disagrees with the applicant and would like to bring the applicant's attention to the combination of Penrice and Caro, which teaches that the host computer controller (Micro Processor 22c) determines the outcome of the instant win game and stores the game theme indicator at the memory (memory 22d), and wherein the terminal controller (Micro Processor 104) stores a plurality of instant win game outcome themes at the terminal memory (memory 106) and transmits the outcome of the instant win game and the game theme indicator to the terminal unit (gaming unit 20).

The applicant also argues that combination of Penrice and Caro does not disclose a controller programmed to display the outcome of the instant win game with an instant win game outcome display theme. The examiner respectfully disagrees with the applicant and would like to bring the applicant's attention to the combination of Penrice and Caro, which teaches that each terminal unit (gaming unit 20) includes a video display device (display 70) and that the method further comprises displaying the outcome of the instant win game at the video display device of one of the terminal units (gaming units 20). The outcome of the instant win game being displayed with one of the instant win game outcome display themes corresponding to the stored game theme indicator (Figures 3A, 3B along with the related description thereof describe tickets 12 in Caro that would be displayed on display 70 in the gaming system taught by Penrice).

Thus the examiner believes that either Caro, or combination of Penrice and Caro have met all the claim limitations in the application. The examiner has considered the applicant's arguments but they are not persuasive, the responses to the arguments have been provided above.

Conclusion

7.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sunit Pandya whose telephone number is (571) 272-2823. The examiner can normally be reached on M - F: 7:30 am - 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Jones can be reached on (571) 272-4438. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

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For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

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